

## REMARKS

In the January 25, 2005 Office Action, the Examiner noted that claims 1-4 were pending in the application because claims 5-16 had been withdrawn; objected to claim 3; required addition of --Prior Art-- in Figs. 1(a)-3(b); rejected claims 1-4 under the judicially created doctrine of obviousness-type double patenting; and rejected claims 1-3 under 35 USC § 102(e). In rejecting the claims, U.S. Patent 6,485,157 (Reference A) was cited. Claims 5-17 have been canceled and thus, claims 1-4 remain in the case. The Examiner's objections and rejections are traversed below.

## Drawings

On page 3 of the Office Action, the Examiner required that --Prior Art-- be added to Figs. 1(a)-3(b). Replacement drawings are submitted herewith. Withdrawal of the objection is respectfully requested.

## Double Patenting Rejection

On pages 3-4 of the Office Action, claims 1-4 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-3 of U.S. Patent No. 6,485,157. In making this rejection, it was asserted that the '157 claims are merely broader versions of the claims of the subject application. However, claims 2-4 depend from claim 1 which recites the following features that are not included in claims 1-3 of the '157 patent: "an inner output light having a main propagation direction that is inclined with respect to a frontal direction in a plane perpendicular to said incidence end face so as to get remote from said incidence end face" (claim 1, last 3 lines).

In comparison, claim 1 of the '157 patent recites "first and second reflection surfaces formed on both sides of the ridge portion respectively as to be inclined with respect to a general plane representative of said back face" (column 15, lines 64-67) and claim 2 recites "said first reflection surface is inclined with respect to said general plane representative of said back face at an inclination angle different from another inclination angle at which said second reflection surface is inclined with respect to the general plane" (column 16, lines 17-21). Neither of these limitations is equivalent to the limitation quoted above from the last three lines of claim 1 of the subject application.

For example, compare Fig. 7(b) of the subject application with Fig. 7b of U.S. Patent 6,485,1587. In both illustrations, "Q" represent a direction of the inner output light. However, Fig. 7b of U.S. Patent 6,485,157 clearly fails to show an inclined direction in a plane perpendicular to the incidence end face, as recited in claim 1 of the subject application.

As described at page 16, lines 14-19 of the subject application, the inner output light Q (Fig. 5) has a main propagation direction which is inclined with respect to a frontal direction in a plane perpendicular to the incidence end face 32 as to be distant from the incidence end face 32. This causes inner incidence angles to the emission face 33 to be increased as compared with a case where the above inclination is absent. Due to the increased incidence angles to the emission face 33, direct escape from the emission face 33 is prevented. As a result, an improved visual feeling is obtained because of reduced unevenness in brightness that could appear if strong or excessive direct escape from the emission face 33 occurs corresponding to each position of the micro-reflectors.

For the above reasons, it is submitted that claims 1-4 patentably over claims 1-3 of the '157 patent.

#### **Rejections under 35 USC § 102(e)**

In item 2 on pages 4-5 of the Office Action, claims 1-3 were rejected under 35 USC § 102(e) as anticipated by "Applicant's Admitted Prior Art" which was identified as Figs. 1(a)-3(b). However, as in the case of the '157 patent, the limitation quoted above from the end of claim 1 is not illustrated in Figs. 1(a)-3(b) of the subject application. Please compare Fig. 7(b) of the subject application with Fig. 3(a) of the subject application which the Examiner has cited as Applicant's Admitted Prior Art. The direction of the inner output light in Fig. 3b is denoted by "J1" or "J2" both of which fail to show an inclined direction in a plane perpendicular to the incidence end face, as recited in claim 1 of the subject application.

For the above reasons, it is submitted that claim 1, as well as claims 2 and 3 which depend therefrom, patentably distinguish over what is illustrated in Figs. 1(a)-3(b) of the subject application. Therefore, withdrawal of the rejection under 35 USC § 102(e) is respectfully requested.

#### **Summary**

It is submitted that the prior art cited by the Examiner does not reach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-4 are in a condition

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suitable for allowance. Entry of the Amendment, reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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**AMENDMENTS TO THE DRAWINGS:**

On page 3 of the Office Action, the Examiner required the addition of --Prior Art-- to Figs. 1(a)-3(b). Replacement figures are submitted herewith. Approval of these changes to the drawings is respectfully requested.